

FINAL PRETRIAL ORDER IN CIVIL JURY TRIAL CASES PENDING
BEFORE JUDGE ST. EVE

In all civil jury trials scheduled before Judge St. Eve, the parties shall jointly prepare and submit a final pretrial order. In each case, the Court will set the date in advance of trial on which the parties must file the final pretrial order. The final pretrial order (including the Court's courtesy copy) must include the following items:

1. Jurisdiction:

A statement of the basis for the Court's jurisdiction.

2. Trial Attorneys:

A list of the attorneys trying the case, including business addresses and telephone numbers.

3. Case Statement:

A concise agreed statement of the case, including: the nature of the case; the claims, counterclaims and cross-claims; and the defenses raised to those claims. The Court will read this statement to the jury during *voir dire*.

4. Witness Lists:

Separate lists for plaintiff and defendant providing the names of witnesses, including expert witnesses, divided into the following three categories: (a) witnesses who **will** be called to testify at trial; (b) witnesses who **may** be called to testify at trial; and (c) witnesses whose testimony a party will present by deposition or other prior testimony (indicating whether the presentation will be by transcript or video). The Court will read these lists to the jury during *voir dire*.

5. Exhibit Lists:

A list by each side of all trial exhibits (including demonstratives, summaries or other specially prepared exhibits), which includes the following:

- (a) the exhibit number for each document;
- (b) the date of the document;

- (c) a brief description of the document;
- (d) whether there is an objection to admission of the document and, if so, a concise statement of the basis for the objection (e.g., Rule 402-relevance; Rule 403 - undue prejudice or confusion); and
- (e) a concise statement of the asserted basis of admissibility.

6. Damage Itemization:

An itemization of damages and other relief sought.

7. Motions In Limine:

All motions *in limine* must be filed with the pretrial order. The parties are directed to meet and confer on all motions *in limine* before filing them.

8. Proposed Voir Dire:

The parties must file a joint document that includes both (a) each party's proposed *voir dire* questions; and (b) each party's objections, if any, to the *voir dire* questions proposed by other parties.

9. Jury Instructions:

The parties are instructed to meet and attempt to agree on jury instructions and to file proposed instructions before filing the pretrial order. Judge St. Eve has her own preliminary and general jury instructions which can be obtained from Chambers or the Court's website on the Internet. The parties should concentrate their efforts on the substantive jury instructions related to the merits.

The parties must submit all agreed and proposed jury instructions with the final pretrial order. Each proposed instruction must indicate the proponent of the instruction and whether the instruction is agreed or disputed. The bottom of each instruction must identify the legal authority supporting that instruction. If an instruction is disputed, the grounds for the objection (and any proposed modification or alternate instruction) must be concisely stated on the page immediately

following the disputed instruction; on the next immediate page, the party proposing the instruction may state concisely the reasons supporting the instruction as proposed.

10. Trial Briefs:

The Court does not require trial briefs in jury trials. Any party who wishes to file a trial brief must seek leave of the Court to do so.

ENTER:

AMY J. ST. EVE
United States District Judge